

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PATRICK CALLIARI,

Plaintiff,

v.

SARGENTO FOODS, INC.,

Defendant/Counterclaim Plaintiff,

v.

PATRICK CALLIARI, et al.,

Counterclaim Defendants.

Case No. C08-1111MJP  
(Consolidated with C08-1112MJP)

**ORDER DENYING LEAVE TO FILE  
AN OVERLENGTH BRIEF.**

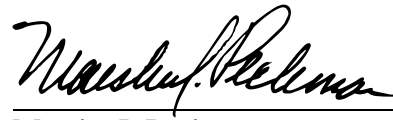
This matter comes before the Court on Plaintiffs' motion for leave to file an overlength brief. (Dkt. No. 164.) The Court has reviewed the motion and the balance of the record. The Court DENIES Plaintiffs' motion.

Plaintiffs seek leave to file an overlength motion for judgment as a matter of law pursuant to Fed. R. Civ. P. 50(b). (Dkt. No. 164 at 2.) Plaintiffs submit that any such motion must analyze "a number of provisions that address operational control" and, as such, additional briefing is required. The Court has issued a number of orders addressing the contractual provisions at issue and presided over a week-long trial where the issues of operational control

1 were analyzed in depth. (See Dkt. Nos. 94 (Order on motions for summary judgment), 112  
2 (Order on motions in limine), 125 (Preliminary Instructions), 141 (Final Instructions).)  
3 Accordingly, the Court is intimately familiar with the factual history of this case and the  
4 contractual provisions set forth in the parties' agreements. The Court believes that the page limit  
5 contemplated by Local Rule 7(e)(4) is sufficient in light of the Court's awareness of the issues.

6 The Court DENIES Plaintiffs' motion for leave to file an overlength brief. (Dkt. No.  
7 164.) Any filing must comport with the Local Rules. The Clerk shall transmit a copy of this  
8 order to all counsel of record.  
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10 DATED this 21st day of January, 2010.

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13 Marsha J. Pechman  
14 United States District Judge  
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